

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 15, 2000

DIVISION ONE

B133361 People (Not for Publication)
v.
Franklin

The judgment is affirmed.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
Masterson, J.

B136904 Los Angeles County, D.C.F.S.
v.
Salvador A.

B139205 Los Angeles County, D.C.F.S.
v.
Salvador A.

Filed order consolidating above captioned appeals.

B137663 Los Angeles County, D.C.F.S.
v.
Candee F.

B138952 Los Angeles County, D.C.F.S.
v.
Candee F.

Filed order consolidating above captioned appeals.

March 15, 2000-Continued

DIVISION TWO

[illegible]

The order is affirmed.

Cooper, J.

We concur: Nott, Acting P.J.
Mallano, J. (Assigned)

B128810 People (Not for Publication)
v.
McKinley et al.

The judgments are affirmed.

Cooper, J.

We concur: Nott, Acting P.J.
 Mallano, J. (Assigned)

B122486 Jaeger (Not for Publication)
v.
Johnny G's Headquarters, Inc., et al.

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
Mallano, J. (Assigned)

DIVISION TWO (Continued)

B122111 People (Not for Publication)
v.
Quintero et al.

The judgments are reversed, and the matter is remanded for the trial court to hold a hearing to determine whether counsel and the trial court have sufficient memory of the voir dire proceedings, after review of the reporter's transcript and any available notes, to permit them to ascertain which trial juror or jurors may have been the short Hispanic male juror whom Juror No. 10 had testified did not truthfully answer one or more questions on voir dire about whether he had been arrested. After conducting such a hearing, the trial court shall, in compliance with Code of Civil Procedure section 237, send a letter to all jurors who may have met that description, notifying them that a hearing will be held as to whether their juror identifying information will be disclosed. If the court subsequently orders disclosure of the juror identifying information to defense counsel after giving any affected juror an opportunity to protest such disclosure, the court shall allow defense counsel a reasonable opportunity to interview any such juror and to move for new trial on the ground of misconduct by such juror. If prejudicial juror misconduct as to any appellant is established, the court shall grant that appellant a new trial. If a new trial is not granted as to either appellant, the judgment as to that appellant shall be reinstated.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

B127765 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Sonia P.

The order under review is affirmed.

Cooper, J.

We concur: Boren, P.J.
 Nott, J.

DIVISION TWO (Continued)

B130394 City of El Segundo (Not for Publication)

v.

California Department of Transportation

City of Los Angeles

The judgment is reversed and the matter is remanded to the trial court for proceedings consistent with this opinion. The parties are to bear their own costs on appeal.

Cooper, J.

We concur: Boren, P.J.

 Nott, J.

B134999 Los Angeles County, D.C.F.S. (Not for Publication)

v.

Enos H., et al.

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Cooper, J.

DIVISION THREE

Court convened at 9:30 A.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

Each of the following:

B137567 Sharon W. v. S.C.L.A.

B130444 Dept. of Children & Family Services v. Otilia M.

B133142 Dept. of Children & Family Services v. Regina B.

B131400 Dept. of Children & Family Services v. Seleaner S.

B127193 People v. James

B125348 People v. Pouncil

DIVISION THREE (Continued)

Each of the following (cont.):

B123021 People v. Moron
B126241 People v. Erick E.
B127182 People v. Adams
B126276 Crismon v. Coney et al.
B129028 People v. Polk
B128629 People v. Bridgeford
B127970 People v. Reed
B129178 People v. Byrns
B129760 People v. Garcia

Argument waived, cause submitted.

B135003 Children and Family Services
 v.
 Regina B.

Merits:

Argued by Kimberly A. Knill for appellant and by Michelle Ben-Hur, deputy county counsel, and by Janette F. Cochran for respondents. Cause submitted.

B130497 Adler
 v.
 Althouse

Merits:

Argued by Dan S. Maccabee for appellant and by Grant Riley for respondent. Cause submitted.

DIVISION THREE (Continued)

B130275 Madison
 v.
 Pittman

Merits:

Argued by Stanley P. Lieber for appellant and by Kate A. Willmore for respondent. Cause submitted.

Court recessed at 10:35 A.M.

Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and Valorie Gray, Deputy Clerk.

B122863 Love
 v.
 Milton C. Grimes Law Offices

Merits:

Argued by Corinne M. Mullen for appellant and by Gregory S. Emerson for respondent. Cause submitted.

B133473 Smith
 v.
 City of Los Angeles et al.

Merits:

Argued by Donald W. Cook for appellant and by Lisa Berger, deputy city attorney, for respondents. Cause submitted.

B120542 People v. Vargas
B137582 In re Steve Vargas on Habeas Corpus

Merits:

Argued by Christine Vento for appellant and by Susan Sullivan Pithey, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B128650 Davis
v.
Marin

Merits:

Argued by Steven Hilst for appellant and by Steven D. Hunt for respondent.
Cause submitted.

B119741 Cotter & Company
v.
Kline

Merits:

Argued by Paul B. George for appellant and by Cris A. Klingerman for respondent. Cause submitted.

Court adjourned at 3:15 P.M.

DIVISION FOUR

B127479 People (Not for Publication)
v.
Castillo

The judgment is modified in the following respects: the four-month sentence enhancement imposed on count 1 is stricken; and the abstract of judgment is ordered corrected to reflect that modification and the award of 323 days of presentence credit. In all other respects, the judgment is affirmed.

Epstein, Acting P.J.

I concur: Hastings, J.
I dissent: Berle, J. (Assigned) (Opinion)

DIVISION FIVE

B133317 People (Not for Publication)
v.
Timothy Jay Cowart

The judgment is modified to reflect the imposition of the \$2,000 Penal Code section 1202.45 restitution fine discussed in the body of this opinion. The superior court clerk is directed to issue an amended abstract of judgment which reflects both restitution fines, each in the sum of \$2,000, and forward it to the Department of Corrections. As modified, the judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

B134664 People (Not for Publication)
v.
Leonel Guzman

The judgment is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Grignon, J.

B126928 Judy Chaney (Not for Publication)
v.
Scott Grace et al.

The judgment is reversed. Appellant(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
Godoy Perez, J.

March 15, 2000-Continued

DIVISION SIX

B132632 People (Not for Publication)
v.
Khan

The judgment (order of commitment) is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

B128291 Jones (Not for Publication)
v.
Thrifty Oil Company

The judgment is affirmed. Respondent is awarded costs on appeal.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B126732 People (Not for Publication)
v.
Northup

The judgment is reversed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

March 15, 2000-Continued

DIVISION SIX (Continued)

B127263 People (Not for Publication)
v.
Avila

The judgment is affirmed.

Yegan, J.

We concur: Gilbert, P.J.
Perren, J.

B128362 People (Not for Publication)
v.
Hughes

The judgment is affirmed.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

B136616 People (Not for Publication)
v.
Amo

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Yegan, J.

March 15, 2000-Continued

DIVISION SIX (Continued)

[illegible]

The judgment is affirmed.

Coffee, J.

We concur: Gilbert, P.J.
Perren, J.

B133372 People v. Boyd (Not for Publication)

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
Coffee, J.

B130605 Kolbe Foods, Inc. (Not for Publication)
v.
Mirzai

The motion to dismiss the appeal is granted. Costs are awarded to respondent.

Yegan, J.

We concur: Gilbert, P.J.
 Coffee, J.

March 15, 2000-Continued

DIVISION SIX (Continued)

[illegible]

The judgment (order) is affirmed. Costs on appeal are awarded to respondent.

Gilbert, P.J.

We concur: Coffee, J.
Perren, J.

DIVISION SEVEN

B109409 People (Certified for Publication)
v.
Valentine

Filed order modifying opinion. (No change in the judgment)

[illegible]

The judgment is modified to stay the sentence on counts 10 through 14. As modified, the judgment is affirmed. The clerk of the superior court is directed to amend the abstract of judgment with the above-noted modifications.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.

March 15, 2000-Continued

DIVISION SEVEN (Continued)

B130160 People (Not for Publication)
v.
Berman

The appeal is dismissed.

Woods, J.

We concur: Johnson, Acting P.J.
 Neal, J.

B137740 Los Angeles County, D.C.F.S. (Not for Publication)
v.
D.C.F.S., County of Los Angeles
In re Dajania W, a minor

The petition is denied on the merits.

Woods, J.

We concur: Lillie, P.J.
Johnson, J.